

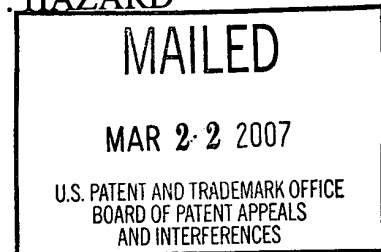
The opinion in support of the decision being entered today was *not* written for publication and is *not* binding precedent of the Board.

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOHN R. JACOBSON and RUSSELL P. HAZARD

Application 09/808,584
Technology Center 1700



ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This Image File Wrapper (IFW) application was electronically received at the Board of Patent Appeals and Interferences on December 6, 2006. A review has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:

Appeal Brief

Appellants filed an Appeal Brief which was received by the USPTO on April 17, 2006. The content furnished under the heading "Status of Claims" does not meet the criteria set forth in 37 C.F.R. § 41.37(c)(1)(iii) because Appellants do not identify the claims which are on appeal. Further review of the Appeal Brief also reveals that the content provided under the heading "Summary of the Claimed

Application 09/808,584

Subject Matter” is not commensurate in scope with 37 C.F.R. § 41.37(c)(1)(v) because there is no description of the subject matter defined in each of the independent and dependent claims involved in the appeal, which refer to the specification by page and line number.


Correction is required with respect to the above noted matters.

Accordingly, it is

ORDERED that the application is returned to the Examiner:

- (1) to instruct Appellants to provide a Supplemental Appeal Brief which fully complies with 37 C.F.R. § 41.37(c)(1)(iii) and (c)(1)(v);
- (2) to have said Supplemental Appeal Brief scanned into the IFW Official record; and
- (3) for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 
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PJN:hh

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